

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOHN RICHARD GIBSON,	)	CV F 05 0042 AWI LJO HC
)	
Petitioner,	)	ORDER DENYING PETITIONER'S
	)	MOTION TO DIRECT RESPONDENT TO
	)	PRODUCE DOCUMENTS AND EXHIBITS
	)	[Doc. #39]
v.)	
	)	ORDER DENYING PETITIONER'S
	)	MOTION TO SUPPLEMENT OBJECTIONS
	)	[Doc. #49]
LEA ANN CHRONES, Warden,)	
	)	ORDER STRIKING OBJECTIONS
Respondent.	)	[Doc. #38, 40, 41, 42, 43, 44, 45]

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

On January 10, 2005, Petitioner filed the instant petition for writ of habeas corpus in this Court. The petition for writ of habeas corpus does not challenge the underlying conviction; rather, it challenges the January 3, 2002, decision of the California Board of Prison Terms to deny parole.

On June 27, 2005, Respondent filed an answer to the petition for writ of habeas corpus.

On July 13, 2005, Petitioner filed a traverse to Respondent's answer. On July 15, 2005, Petitioner filed an opposition to Respondent's contention that the petition was filed beyond the one-year statute of limitations.

On August 22, 2005, the undersigned issued a Findings and Recommendation which

1 recommended dismissal of the petition. The Findings and Recommendation provided that the parties
2 could file their written objections within thirty (30) days of the date of service of the order. On
3 August 29, 2005, Petitioner filed objections to the Findings and Recommendation.

4 Thereafter, the Court received numerous objections which were filed in this case. On
5 September 2, 2005, Petitioner filed a second set of objections which was a duplicate of the first. On
6 September 7, 2005, Marc Grossman, Esq., filed objections on behalf of Petitioner. However, Marc
7 Grossman is neither party to this action nor counsel for Petitioner. On September 20, 2005, and
8 September 29, 2005, duplicates of Mr. Grossman's objections were filed. On September 8, 2005, and
9 September 13, 2005, Petitioner filed a third, fourth, and fifth set of objections. The Findings and
10 Recommendation provided for the filing of one set of objections. Petitioner did not seek leave of
11 Court nor did the Findings and Recommendations allow for the filing of additional sets of
12 objections.

13 On September 2, 2005, Petitioner filed a request for a court order directing Respondent to
14 produce records and exhibits from a California case. He fails to make any showing why this would
15 be necessary.

16 Then, on March 3, 2006, Petitioner filed a request to file additional briefing. However,
17 briefing concluded in this case with the filing of his objections and the case is now under review by
18 the District Judge. The Court does not find good cause to reopen the matter for additional briefing at
19 this time.

20 Accordingly, IT IS HEREBY ORDERED:

21 1) Those objections specified above (Docs. # 38, 40, 41, 42, 43, 44, 45) are STRICKEN;

22 2) Petitioner's request for a court order directing Respondent to produce documents is
23 DENIED; and

24 3) Petitioner's request to file additional briefing is DENIED.

25 IT IS SO ORDERED.

26 **Dated: July 24, 2006**
b9ed48

/s/ Lawrence J. O'Neill
UNITED STATES MAGISTRATE JUDGE